

## **REMARKS**

Claims 1-30 have been canceled. Claims 31-64 remain pending in the application. Claims 31-43, 48-62, and 64 have been withdrawn from consideration. Applicant amends claims 44 and 63 for clarification. No new matter has been added.

Applicant, again, respectfully requests that the Examiner indicate acceptance of the drawings.

Claims 44-47 and 63 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,256,500 to Yamashita. Applicant amends claims 44 and 63 in a good faith effort to clarify the invention as distinguished from the cited reference, and respectfully traverses the rejection.

The Examiner maintained the claim rejection by, again, referring to the description in Yamashita of system information containing available channels “(for both macro cell radio base stations and micro cell radio base stations)” as alleged disclosure of the claimed call setup information. Col. 5, lines 40-50 of Yamashita.

Once again, such portion of Yamashita only includes description of available channels “to which [a] current channel can be switched.” Col. 5, lines 47-50 of Yamashita. And, therefore, the cited portion of Yamashita only includes description of spontaneous switching to available channels at the time of switching, and does not include any disclosure of call setup information for the claimed allocation, at call setup, of a respective uplink channel and downlink channel, from a plurality of available uplink channels and downlinks channels, for communicating with a corresponding further base station, and activating the allocated channels when handing off to the further base station.

In other words, Yamashita, as cited and relied upon by the Examiner, fails to disclose,

“[a] mobile station, for use in a cellular communications network, comprising:

a call setup information receiving portion, operable in a call setup process for setting up a call between the network and the mobile station, to receive from a first base transceiver station of the network call setup information for use by the mobile station to allocate, *at call setup*, at least a respective uplink channel and downlink channel, from a plurality of available uplink channels and downlinks channels, for communicating with a corresponding at least one further base transceiver station of the network;

a call setup information storage portion which stores the received call setup information; and

a hand-off control portion operable initially, following completion of said call setup process, to cause the mobile station to communicate with said first base transceiver station and operable when, during the course of the call it is determined that the mobile station should communicate with the, or one of the, further base transceiver stations, to employ the stored call setup information received in the call setup process to activate said allocated uplink and downlink channels between the mobile station and that further base transceiver station, as recited in claim 44. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 44, together with claims 45-47 dependent therefrom, is patentable over Yamashita for at least the foregoing reasons. Claim 63 incorporates features that correspond to those of claim 44 recited above. Accordingly, Applicant respectfully submits that claim 63 is patentable over Yamashita for at least the same reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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